

**REMARKS**

Claims 109-124 were substantively examined. Upon entry of the amendments, claims 109, 112-114, 120-122, and 124 will be pending in the above-identified application. Claims 110-111, 115-119, and 123 have been withdrawn by the Examiner as being drawn to a non-elected subject matter. Applicant herewith cancels claims 110, 11, 115-119 and 123 without prejudice to Applicant's right to prosecute the subject matter of the claims in a related, co-pending application. Claims 109, 113, and 114 have been amended. Applicant submits that the amendments are supported throughout the specification as originally filed, and therefore, no new matter is added by these amendments. In view of the remarks set forth herein, reconsideration of the application is respectfully requested.

Election/Restrictions

The Examiner has reconsidered Applicant's election with traverse of Group II. Although the Examiner did not find Applicant's remarks regarding restriction persuasive and has made the restriction as to the groups final, the requirement to elect a species has been withdrawn. As such, the claims of Group II have been searched and examined in its entirety.

Claim Objections

The Examiner has found claim 124 to be allowable, but has objected to the claim as being dependent on a rejected base claim. Applicant submits that the base claim 109 has been amended, as discussed in further detail below, to overcome the Examiner's rejections; therefore, the objection is believed to now be rendered moot.

Claims 115 and 116 stand objected to as being substantial duplicates of claims 121 and 122, respectively. Although Applicant does not agree with the objection of the Examiner, Claims 115 and 116 have been canceled without prejudice or disclaimer in order to further expedite prosecution of certain subject matter disclosed and claimed in this application. Thus, the objection is believed to be rendered moot.

The Examiner has objected to claims 109, 112-114, 119, and 120 as containing non-elected subject matter. Claim 119 has been canceled. Claims 109, 113, and 114 have been amended according to the Examiner's suggestions as how to obviate the objections. Accordingly, in claim 109, language has been deleted in regards to  $R^2$  as a reactive functional group or internally substituted alkyl groups terminally substituted with a reactive functional group. As amended, claim 109 recites in-part " $R^2$  is an alkyl group terminally substituted with a reactive functional group wherein the reactive functional group is a member selected from..." Support for the amended claim can be found in the specification, for example, at paragraph [0072]. Similarly, in claims 113 and 114, language has been deleted regarding internally substituted alkyl groups, which, as amended, relates to the alkyl group defined in claim 109. Claim 113, which contains similar amendments to those in claim 114, now reads in part, "...wherein the alkyl group is selected from ..." Support for the amended claims can be found in the specification at, for example, paragraph [0074]. Regarding dependent claims 112 and 120, as the claims are dependent on claim 109 all the limitations of amended claim 109 are incorporated in the dependent claims. Therefore, Applicant submits that amendments to claim 109 further discussed below render the objections to 112 and 120 moot. Accordingly, with the above mentioned remarks, the Examiner is respectfully requested to reconsider and withdraw the objections to claims 109, 112-114, 119, and 120.

#### Rejections Under 35 U.S.C. § 112

Claims 109, 112-116, and 119-122 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Specifically, the Examiner asserts that the claims include the definition of  $-OR^3$  as "a species such that  $-OR^3$  is a leaving group" and the definition of  $R^6$  as "a species such that  $-OR^6$  is a leaving group." The Examiner alleges that these definitions render the claims indefinite because the claims are product claims with no limitation to reaction steps or conditions. Furthermore, the Examiner believes that the term "leaving group" only has meaning in relation to a specified reaction as the leaving group is a group that departs or is displaced during a specific type of reaction, such as a specific substitution reaction or elimination reaction.

without prejudice or disclaimer. In addition, to further expedite prosecution of this case, claim 109 has been amended the chemical functional groups of -OR<sup>3</sup> and -OR<sup>6</sup> in order to set forth the invention with greater particularity. Claim 109 in-part now reads "-OR<sup>3</sup> is a member selected from hydroxyl, alkyl sulfonate, aryl sulfonate, and a species such that -OR<sup>3</sup> is reactive under relatively mild conditions;...R<sup>5</sup> is a member selected from ... a species such that -OR<sup>6</sup> is reactive under relatively mild conditions;..." Support for these amendments can be found in the specification, for example, at paragraph [0082]. Claims 112-114 and 120-122 are dependent from claim 109 and as such include all limitations. Therefore, Applicant submits that the explained amendments to claim 109 render the rejections to 112-114 and 120-122 moot.

In view of the amendments and remarks above, Applicant respectfully requests the Examiner to reconsider and withdraw the rejection of claims 109, 112-116, and 119-122 under 35 U.S.C. § 112, second paragraph.

### CONCLUSION

In view of the foregoing, Applicant believes all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested. If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 206-467-9600.

Respectfully submitted,

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By: Brian W. Poor  
Brian W. Poor  
Reg. No. 32, 928

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834  
Tel: 206-467-9600  
Fax: 415-576-0300

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